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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/735,087

12/12/2003

Sandra L. Kogan

IBM-004

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EXAMINER

JARRETT, SCOTT L

ART UNIT

PAPER NUMBER

3624

MAIL DATE

DELIVERY MODE

11/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/735,087	Applicant(s) KOGAN ET AL.	
	Examiner SCOTT L. JARRETT	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This **Final** Office Action is in response to Applicant's amendment filed September 8, 2008. Applicant's amendment amended claims 1-29. Currently claims 1-29 are pending.

Response to Amendment

2. The objection to Claim 6 in the previous office action is withdrawn in response to Applicant's amendment to claim 6.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Response to Arguments

3. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's Applicant(s) attempt at traversing the Official Notice findings as stated in the previous Office Action (Remarks: Last Paragraph, Page 8) is inadequate. Adequate traversal is a two step process. First, Applicant(s) must state their traversal on the record. Second and in accordance with 37 C.F.R. 1.111(b) which requires Applicant(s) to specifically point out the supposed errors in the Office Action, Applicant(s) must state why the Official Notice statement(s) are not to be considered common knowledge or well known in the art.

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In this application, while Applicant(s) have clearly met step (1), Applicant(s) have failed step (2) since they have failed to argue why the Official Notice statement(s) are not to be considered common knowledge or well known in the art. Because Applicant(s)' traversal is inadequate, the Official Notice statement(s) are taken to be admitted as prior art. See MPEP 2144.03.

Accordingly the officially cited facts in the previous office action as presented are herein after prior art. Specifically it has been established that it was old and well known in the art at the time of the invention to utilize weblog (blogs, bulletin boards, message boards, etc.) when managing projects as more specifically to provide a feed to an aggregator, the aggregator receiving entries from a weblog wherein the feed comprises provided an RSS feed from a plurality of weblogs for syndication is old and very well known wherein such aggregators/RSS feeds provide a simple way to keep users informed of changes in a plurality of web sites, blogs, weblogs or other online content.

Support for this officially cited fact can be found in at least the following references:

- White, CMS Implementation-project management (2002; "There is reasonable justification with a project of this scope to use some form of collaborative platform and I have seen a Weblog used quite effectively to keep everyone on a project team informed and involved."; Last Paragraph, Page 3);
- Gillmor, RSS Starting to catch on (2003; Column 2, Paragraphs 1-2; Column 3, Last Two Paragraphs, Page 19); and

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- Arnold, Social Software (2003; Column 1, Last Paragraph; Column 2, Paragraph 1, Page 30).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 7-11, 13-14, 16-19, 21-26 and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Project 2000 as evidenced by at least Pyron et al., Using Microsoft Project 2000 (2000; MS Project) in view of Clark, U.S. Patent No. 7,062,449.

Regarding Claims 1, 10, 13 18 and 23 MS Project teaches a system and method for tracking the status of a workflow (project) comprising:

- generating a weblog (log, journal, diary, web page/site, posting, discussion board, bulletin board, threaded discussion, etc.) to track an instance of the workflow (project; e.g. Project Central Home Page, messages, posted actions, tasks, etc.;. Bullets 1, 3-5, Page 22; Figures 15.3, 15.4, 15.5) , the workflow having a plurality of workflow steps, each step performed by at least one member (Personal Gantt, Figures 15.3, 15.45), each of the members having at least one workflow role (e.g. project manager vs. team member, etc.; Figures 15.5 – project members posting project tasks/workflow step status);

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- assigning the at least one member to the weblog (e.g. personal home/project page, workgroups; TeamAssign; Steps 1-6, Pages 108-109; Figures 15.6, 15.8-15.9, 15.45); and
- posting an entry in the weblog to indicate that a workflow action (project task) has occurred (TeamUpdate, Team Status Update, Timesheet; Paragraph 1, Page 118; Steps 1-4, Page 31; Figures 15.17-15.19; 15.28-15.29, 15.36).
- a display screen, input device and server (website – project central server – browser; Figures 15.,3, 15.10).

Figure 15.3. The Project Central home page provides an overview of messages, tasks, and status

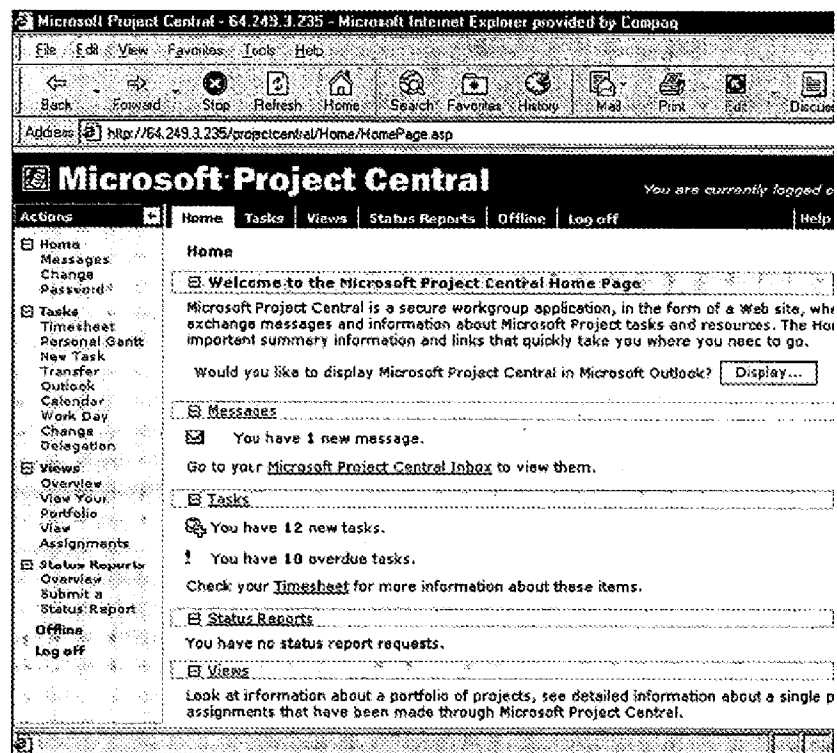
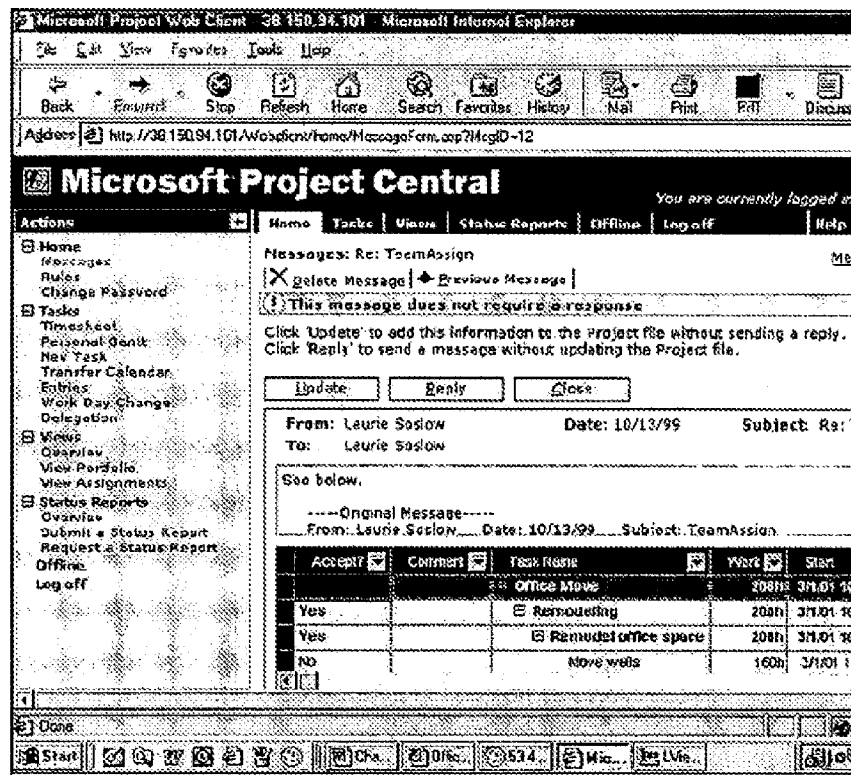


Figure 15.13. The project manager receives this message when a task assignment is declined via Project C



MS Project does not expressly teach automatically updating the status of a workflow action when the action has occurred as claimed.

Clark teaches a system and method for tracking the status of a workflow comprising automatically determining, updating and posting (notifying, logging, recording, etc.) when workflow action status change - specifically automatically logging when a workflow action is completed (Column 13, Lines 5-43; Figure 11, Elements 400, 410) in an analogous art of workflow status/progress tracking for the purpose of

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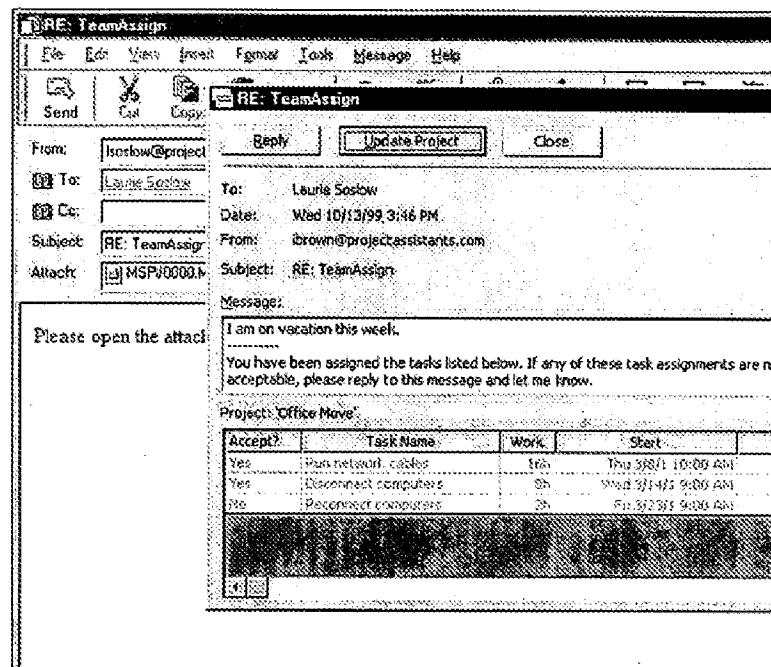
obtaining real-time and/or accurate workflow action status (Column 1, Lines 60-68; Column 13, Lines 30-36).

It would have been obvious to one skilled in the art at the time of the invention that they system and method for tracking status of a workflow as taught by MS Project would have benefited from automatically posting an entry in the project to indicate that a workflow action has occurred in view of the teachings of Clark; the resultant system and method enabling users to automatically obtain real-time project status (Clark: Column 1, Lines 60-68).

Further since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding Claims 2, 14 and 24 MS Project teaches a system and method for tracking the status of a workflow wherein the workflow action comprises the completion of a workflow step (project task, Team Status; Steps 1-4, Pages 25-26; Pages 117, 122; Figure 15.15-15.17; Figure 15.36 – responding to a status report).

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Updating the Project Plan with TeamAssign Replies

Team members receiving
the TeamStatus message

TeamStatus

Send Cancel

To: Ron Hill, Operations assistant, Ira Brown, Laurie Soslow, Vice President...

Subject: TeamStatus

Date: Wed 10/13/99

Please reply to this message with your status on the tasks listed below.
Thank you.

Ask for actual work from: Wed 10/27/99 To: Tue 11/2/99

To:	Task Name	Work	Start
Ron Hill, Operations assistant	Determine Requirements	56h	Mon 1/1/01
Ron Hill, Operations assistant	Write proposal	4h	Thu 1/4/01
Vice President	Administrative review	80h	Thu 1/4/01
Vice President	Proposal approved	0h	Thu 1/18/01
Ron Hill	Meet with taskar	2h	Thu 1/18/01
Ron Hill	Review possible sites	40h	Thu 1/18/01

Subject default
but can be modified

Modify or expand
message text,

Adjust the time
if necessary.

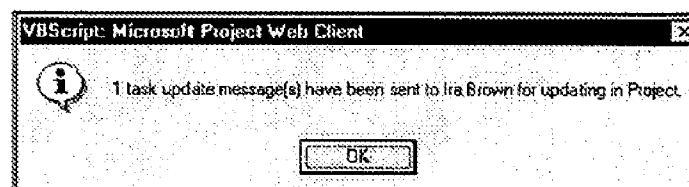
Regarding Claims 3 and 25 MS Project teaches a system and method for tracking the status of a workflow wherein the workflow action comprises the execution of a workflow exception (status report: hot issues, change requests; late tasks, etc.; Figures 15.21, 15.34, 15.39).

Figure 15.21. This icon displays the tracking status of the task.

	<input checked="" type="checkbox"/> Phase One	Widget One	32h
	Design	Widget One	8h
	A status update for this task has been sent to Ira Brown but has not yet been updated in the project.		
	! This task was scheduled to finish on 10/6/99 5:00 PM but it has not yet been completed.		
		Widget One	8h
		Widget One	8h
		Widget One	8h

Regarding Claims 4 and 19 MS Project teaches a system and method for tracking the status of a workflow further comprising posting an entry in a personal weblog (journal, diary, web page/site/form, discussion board, bulletin board, etc.) to indicate that the workflow action (project task) has occurred (TeamUpdate, Team Status Update, Timesheet – all update project and task status on the project central web site; Steps 1-4, Page 31; Figures 15.17-15.19; 15.28-15.29, 15.36).

Figure 15.20. This message alerts you that the update has been successfully sent to the proje



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Regarding Claims 7, 11, 16, 21, 26 and 28 MS Project teaches a system and method for tracking the status of a workflow wherein the posting of an entry in the workflow weblog (project central web site) is made in response to a posting of an entry in a personal weblog (e.g. project team members updated their personal Gantt chart and/or project tasks via their personal project home page which in turn updates the entire project website/log; TeamStatus; Steps 1-4, Pages 25-26; Pages 117, 122; Figure 15.15-15.17; Figure 15.36 – responding to a status report).

Regarding Claims 8-9, 17, 22 and 29 MS Project teaches a method and system for tracking the status of a workflow further comprising limiting viewing of the contents of the weblog to a plurality of predetermined users wherein the predetermined users comprise at least one of the at least one members assigned to the weblog (access control, login, etc.; Figure on Page 20).

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6. Claims 5-6, 12, 15, 20 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Project 2000 as evidenced by at least Pyron et al., Using Microsoft Project 2000 (2000; MS Project) in view of Clark, U.S. Patent No. 7,062,449 as applied to claims 1-4, 7-11, 13-14, 16-19, 21-26 and 28-29 above, and further in view of Official Notice.

Regarding Claims 5-6, 12, 15, 20 and 27 MS Project teaches a system and method for tracking the status of a workflow further comprising aggregating the received entries into a weblog (Microsoft Project Central Home Page, Project Plan, etc.) as discussed above.

MS Project does not expressly teach providing a feed to an aggregator wherein the feed comprises an RSS feed from a plurality of weblogs for syndication.

Official notice is taken that providing a feed to an aggregator, the aggregator receiving entries from a weblog wherein the feed comprises provided an RSS feed from a plurality of weblogs for syndication is old and very well known wherein such aggregators/RSS feeds provide a simple way to keep users informed of changes in a plurality of web sites, blogs, weblogs or other online content.

Support for this officially cited fact can be found in at least the following references:

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- White, CMS Implementation-project management (2002; “There is reasonable justification with a project of this scope to use some form of collaborative platform and I have seen a Weblog used quite effectively to keep everyone on a project team informed and involved.”; Last Paragraph, Page 3);
- Gillmor, RSS Starting to catch on (2003; Column 2, Paragraphs 1-2; Column 3, Last Two Paragraphs, Page 19); and
- Arnold, Social Software (2003; Column 1, Last Paragraph; Column 2, Paragraph 1, Page 30).

It would have been obvious to one skilled in the art at the time of the invention that the online (web) system and method for tracking the status of a workflow as taught by MS Project would have benefited from utilizing web feeds/syndication (e.g. RSS) to provide team members with a summary of changes to the MS Project Central web site/pages (weblog) thereby enabling them to keep current on the projects status/progress and/or other new project-related information.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- LaPlante, Taligent electronic bulletin board is a workhorse (1993), teaches the old and well known utilization of bulletin boards for managing projects.
- Teamware Flow 3.1 User's Guide (2000), teaches a workflow management system and method.
- ActionWorkflow Enterprise Series 3.0 Process Builders User's Guide (1996), teaches a workflow management system and method.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT L. JARRETT whose telephone number is (571)272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Bayat can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott L Jarrett/
Primary Examiner, Art Unit 3624